

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVE ASQUE, )  
Plaintiff )  
vs. ) Civil Action No. 07-231  
MT. LEBANON POLICE DEPARTMENT; ) Magistrate Judge Amy Reynolds Hay  
JOSHUA CHOPS; PAUL PETRAS; )  
THOMAS RUTOWSKI; JOSEPH )  
OSINKSKI; MICHAEL SMAKOSZ; )  
MATTHEW MANKAMYER; PETER )  
SUTEC, )  
Defendants )

**ORDER**

AND NOW, this 10th day of September, 2007, after the Plaintiff, Dave Asque, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Complaint is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti  
JOY FLOWERS CONTI  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Dave Asque  
241 Reifert Street  
Pittsburgh, PA 15210